

**REMARKS**

This paper is being filed in response to the Office Action mailed February 2, 2004. Claims 1-25 are pending. Claims 1-21, including withdrawn claims 13-20, have been amended. Claims 22-25 have been cancelled without prejudice. Claims 26-29, including independent claim 26, have been added by this amendment.

A "Request For Extension Of Time" for extending the due date for responding to the Office Action by one month and a credit card payment form (PTO-2038) to cover the fee payment for the extension (\$110) are being filed with this Amendment. A credit card payment form (Form PTO-2038) for payment of the fee for the added claims (\$104) is also being filed with this Amendment. Authorization is granted to charge our deposit account no. 18-1644 for any additional fees necessary for entry of this Amendment.

The Examiner has indicated that claims 1-12 are allowable over the prior art of record. The Examiner has further indicated that claim 22 would be allowable if rewritten to overcome objections to claim 21 under 35 U.S.C. § 112, ¶2 and to include all the limitations of the base claim and any intervening claims. With respect to claim 21, the Examiner has objected to the section of the claim "and a second member for ... where said display part is first position" as not being grammatically correct. Applicants have amended claim 21 to overcome the Examiner's objection thereto, and to include the limitations of claim 22. Claim 21 is therefore respectfully submitted as allowable.

The Examiner has rejected applicants' claims 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Kawaguchi (Publication WO 98/46022) in view of Takagi et al. (U.S. Patent No. 6,226,448), in further view of Kamamoto et al. (U.S. Patent No. 5,982,429). Applicants have cancelled claims 22-25, rendering the Examiner's rejections thereto as moot.

Applicants' added independent claim 26 recites as follows:

26. An image pickup apparatus including a lens portion for converging an object image comprising:

a display part including a display face for displaying a picked-up image;

a body including a first operation face having a first operation member for reproducing the picked-up image on said display face, wherein said operation member is operated by an operator who uses said image pickup apparatus; and

a moving member for moving said display part to a first position in which the first operation face of said body is covered by said display part, and a second position in which said first operation face is not covered by said display part and is exposed outside;

wherein when said display part is in the first position, a major-side direction of said display part substantially coincides with a major-side direction of said body, and said display part is in the second position when said display part moved toward an upper side in said first operation face.

Applicants respectfully submit that none of the cited references teach or suggest an image pickup apparatus as claimed, including a structure such that when the display part is in the first position, a major-side direction of the display part substantially coincides with a major-side direction of the body, and the display part is in the second position when it is moved toward an upper side in the first operation face. Claim 26, in reciting these features, thus patentably distinguishes over the cited references. Applicants' claims 27-29, which depend either directly or indirectly from claim 26, are also submitted as patentable for at least the same reasons as noted above with respect to claim 26.


In view of the above, it is submitted that claims 1-12 and 21 are allowable and that applicants' claims 26-29 patentably distinguish over the cited art of record. If the Examiner believes that an interview would expedite consideration of this Amendment or of the

application, a request is made that the Examiner telephone applicants' counsel at (212) 682-9640.

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